

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**IN RE INJECTAFER PRODUCTS
LIABILITY LITIGATION**

**THIS DOCUMENT RELATES TO:
ALL CASES**

NO. 2:19-CV-00276-WB

HON. WENDY BEETLESTONE

**JOINT STIPULATION TO AMEND CERTAIN DEADLINES
ESTABLISHED IN CASE MANAGEMENT ORDER NOS. 2 AND 3**

IT IS HEREBY STIPULATED AND AGREED, by and between Plaintiffs and Defendants American Regent, Inc. (“ARI”),¹ Daiichi Sankyo, Inc., Daiichi Sankyo US Holdings, Inc., and Vifor (International) AG (“Vifor”) (“Defendants”) (collectively, the “Parties”), through their respective counsel, and subject to the approval of the Court, that certain deadlines related to the procedures set forth in Case Management Order (“CMO”) Nos. 2 and 3, in the above-captioned consolidated action, shall be modified as follows:

1. The Parties shall submit letter briefs regarding any remaining disputes relating to Plaintiff and Defendant Fact Sheets on or before June 24, 2022;
2. The Parties shall make their bellwether discovery pool strike selections in accordance with paragraph 3 of CMO No. 2, on or before June 24, 2022;
3. Plaintiffs shall serve completed Plaintiff Fact Sheets and Defendants shall serve completed Defendant Fact Sheets for the bellwether discovery pool cases on or before August 19, 2022;

¹ The American Regent, Inc. entity named as a defendant in Plaintiff’s Complaint was a wholly-owned subsidiary of Luitpold Pharmaceuticals, Inc. and no longer exists. To streamline its business, Luitpold Pharmaceuticals, Inc. merged this entity into itself on December 31, 2018. Thereafter, the surviving entity was renamed American Regent, Inc. Herein, use of “American Regent, Inc.” refers to all of the new surviving entity, the former Luitpold Pharmaceuticals, Inc., and the former American Regent, Inc.

4. The Parties may commence case-specific discovery in the bellwether discovery pool cases on September 2, 2022. Pursuant to the CMO No. 3, the Parties are expected to provide, collect and produce case-specific documents including medical records and authorizations as necessary between the time of selection and the time of commencement of case-specific discovery, which collection and production should continue throughout this discovery period. All case-specific discovery in these selected cases shall be completed by April 1, 2023; and
5. The Parties shall submit a proposed Order or Orders setting forth the procedure by which the bellwether discovery pool cases will be chosen as potential trial candidates and scheduling deadlines for those cases, including expert discovery and dispositive motion practice on or before February 1, 2023. If the parties cannot reach an agreement, they shall submit competing Orders and letter briefs outlining their positions regarding the procedure on or before February 1, 2023.

STIPULATED TO and AGREED TO BY:

Dated: June 14, 2022

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Dated: June 14, 2022

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SO ORDERED, this 14 day of June, 2022

BY THE COURT:

/s/Wendy Beetlestone, J.

WENDY BEETLESTONE, J.